



U.S. OFFICE OF SPECIAL COUNSEL  
1730 M Street, N.W., Suite 218  
Washington, D.C. 20036-4505  
202-804-7000

October 18, 2024

Mr. Jeremy Williams

VIA ELECTRONIC MAIL: [REDACTED].com

Re: OSC File No. HA-24-000404

Dear Mr. Williams:

This letter is in response to a complaint filed with the U.S. Office of Special Counsel (OSC) alleging that, as an employee of the U.S. Department of Agriculture (USDA), you violated the Hatch Act by being a member of the Shelby County Board and by being a Precinct Committeeman for the Shelby County Republican Party. As explained below, OSC has concluded that you did not violate the Hatch Act, and we are therefore closing our file in this matter without further action.

The Hatch Act governs the political activity of federal civilian executive branch employees, including USDA employees.<sup>1</sup> Among other things, the Hatch Act prohibits employees from being candidates for partisan political office.<sup>2</sup> A partisan political office is one for which any candidate is nominated or elected as representing, for example, the Republican or Democratic Party.<sup>3</sup>

On November 24, 2020, OSC responded to your request for an advisory opinion regarding your ability to run in the partisan election for Shelby County Board. In that advisory opinion, OSC explained that because you were an employee who worked on an occasional or irregular basis, you were not prohibited from being a candidate in the election.<sup>4</sup> However, OSC stated that any changes to your work schedule could affect your coverage under the Hatch Act.

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<sup>1</sup> See 5 U.S.C. §§ 7321-7326.

<sup>2</sup> 5 U.S.C. § 7323(a)(3). The Hatch Act also prohibits employees from: using their official authority or influence to interfere with or affect the results of an election; knowingly soliciting, accepting, or receiving political contributions from any person; knowingly soliciting or discouraging the political activity of any individual with business before their employing office; or engaging in political activity while on duty, in uniform, in the federal workplace, or using a government vehicle. 5 U.S.C. §§ 7323(a)(1),(2)-(4); 5 U.S.C. § 7324(a).

<sup>3</sup> 5 C.F.R. § 734.101.

<sup>4</sup> See OSC File No. AD-20-000051. Specifically, OSC determined that you worked under a USDA appointment not to exceed 180 days and that you typically work no more than 16 weeks, or 80 days, per year.

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OSC understands that you were elected to the Shelby County Board in 2022 for a four-year term. In light of the complaint, OSC confirmed that your typical work schedule has not changed since OSC's November 24, 2020 advisory opinion, and that you continue to work for the USDA on an occasional or irregular basis. As such, you did not violate the Hatch Act by being a candidate in the 2022 Shelby County Board election. Further, you are not violating the Hatch Act by actively being a member of the Shelby County Board, as alleged.

OSC reviewed the allegation that you violated the Hatch Act by being a Precinct Committeeman for the Shelby County Republican Party. However, the Hatch Act does not prohibit you from being a member or officer of a political party or other political group, provided you do not engage in activities prohibited by the Hatch Act.<sup>5</sup> There is no evidence suggesting that you have engaged in any such activities. As such, we are closing our file in this matter.

Please contact Hatch Act Unit attorney Elliot Cole at 202-804-7570 or [ecole@osc.gov](mailto:ecole@osc.gov) if you have any questions.

Sincerely,

A black rectangular redaction box covering the signature of Erica S. Hamrick.

Erica S. Hamrick  
Deputy Chief  
Hatch Act Unit

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<sup>5</sup> See 5 C.F.R. § 734.101(a).